

Response under 37 C.F.R. 1.111
Application No. 10/684,369
Attorney Docket No. 031223

REMARKS

Claims 1-12 are pending in the above-identified application. Applicants respectfully submit that this Response is fully responsive to the Office Action dated February 9, 2006.

Claims 1-2 and 4 were rejected under 35 U.S.C. §102(e) as being anticipated by *Lynch et al.* (U.S. Pat. No. 2004/0167796 A1). Claims 3, 5-8 and 9-12 were rejected under 35 U.S.C. §103(a) as unpatentable over *Lynch et al.* (U.S. Pat. No. 2004/0167796 A1) in view of Applicants' admitted prior art (Specification, pages 1-2; Figs. 1-2). However, these rejections are improper because *Lynch et al.* is not a proper reference.

Lynch et al. was filed on September 30, 2003 and is a continuation-in-part of application No. 10/371,895, which was filed on February 21, 2003; whereas the above-identified application claims priority of JP 2003-028163, which was filed on February 5, 2003. Therefore, in accordance with 37 C.F.R. 1.55, Applicants enclose a verified English translation of JP 2003-028163. See MPEP §201.15. Accordingly, Applicants respectfully request that the Examiner withdraw the anticipation and obviousness rejections of claims 1-12.

In view of the aforementioned remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

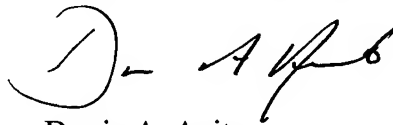
If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'D. Auito', is written over the printed name.

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DAA/meu

Attachment: Copy of JP 2003-028163 w/verified English translation